

**SUPREME COURT MINUTES
TUESDAY, MARCH 2, 2010
SAN FRANCISCO, CALIFORNIA**

S171380**LUSTER (ANDREW) ON H.C.**

Petition ordered withdrawn

Pursuant to written request of petitioner, the above-entitled petition for writ of habeas corpus is ordered withdrawn.

S029843**PEOPLE v. BECK (JAMES
DAVID) & CRUZ (GERALD
DEAN)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender William T. Lowe's representation that he anticipates filing appellant Gerald Dean Cruz's reply brief by mid-May 2011, counsel's request for an extension of time in which to file that brief is granted to April 27, 2010. After that date, only seven further extensions totaling about 380 additional days are contemplated.

S029843**PEOPLE v. BECK (JAMES
DAVID) & CRUZ (GERALD
DEAN)**

Extension of time granted

Good cause appearing, and based upon counsel Andrew Parnes's representation that he anticipates filing appellant James David Beck's reply brief by October 1, 2010, counsel's request for an extension of time in which to file that brief is granted to April 23, 2010. After that date, only three further extensions totaling about 160 additional days are contemplated.

S035190**PEOPLE v. HOUSTON (ERIC
CHRISTOPHER)**

Extension of time granted

Good cause appearing, and based upon counsel David H. Schwartz's representation that he anticipates filing the appellant's reply brief by April 27, 2010, counsel's request for an extension of time in which to file that brief is granted to April 27, 2010. After that date, no further extension is contemplated.

S040704**PEOPLE v. JOHNSEN (BRIAN
DAVID)**

Extension of time granted

Good cause appearing, and based upon counsel Neoma D. Kenwood's representation that she anticipates filing the appellant's opening brief by July 2, 2010, counsel's request for an extension of time in which to file that brief is granted to April 19, 2010. After that date, only one further extension totaling about 80 additional days is contemplated.

S048763**PEOPLE v. NELSON (SERGIO
DUJUAN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by December 6, 2010, counsel's request for an extension of time in which to file that brief is granted to May 4, 2010. After that date, only four further extensions totaling about 210 additional days will be granted.

S049626**PEOPLE v. HAJEK
(STEPHEN EDWARD) & VO
(LOI TAN)**

Extension of time granted

Good cause appearing, and based upon counsel Doron Weinberg's representation that he anticipates filing appellant Loi Tan Vo's reply brief by December 2010, counsel's request for an extension of time in which to file that brief is granted to April 26, 2010. After that date, only four further extensions totaling about 240 additional days are contemplated.

S062259**PEOPLE v. SCULLY
(ROBERT WALTER)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Margot Garey's representation that she anticipates filing the appellant's opening brief by September 2010, counsel's request for an extension of time in which to file that brief is granted to April 29, 2010. After that date, only two further extensions totaling about 130 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S075727**PEOPLE v. JOHNSON
(CEDRIC JEROME)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Marc A. Kohm's representation that he anticipates filing the respondent's brief by May 20, 2010, counsel's request for an extension of time in which to file that brief is granted to April 30, 2010. After that date, only one further extension totaling about 20 additional days is contemplated.

S076340**PEOPLE v. NGUYEN (LAM
THANH)**

Extension of time granted

Good cause appearing, and based upon counsel Richard C. Neuhoﬀ's representation that he anticipates filing the appellant's opening brief by July 2010, counsel's request for an extension of time in which to file that brief is granted to April 27, 2010. After that date, only two further extensions totaling about 90 additional days are contemplated.

S081700**PEOPLE v. HARRIS (WILLIE
LEO)**

Extension of time granted

Good cause appearing, and based upon counsel Richard I. Targow's representation that he anticipates filing the appellant's reply brief by May 20, 2010, counsel's request for an extension of time in which to file that brief is granted to April 19, 2010. After that date, only one further extension totaling about 30 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S087569**PEOPLE v. SANCHEZ (JUAN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender John Fresquez's representation that he anticipates filing the appellant's opening brief no sooner than January 2012, counsel's request for an extension of time in which to file that brief is granted to May 4, 2010.

After that date, only ten further extensions totaling about 600 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S090499**PEOPLE v. LIVINGSTON
(DAVID JAMES)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to May 4, 2010.

S093235**PEOPLE v. JOHNSON
(JERROLD ELWIN)**

Extension of time granted

Good cause appearing, and based upon counsel William D. Farber's representation that he anticipates filing the appellant's opening brief by December 31, 2010, counsel's request for an extension of time in which to file that brief is granted to April 16, 2010. After that date, only four further extensions totaling about 255 additional days are contemplated.

S093944**PEOPLE v. BERTSCH (JOHN
ANTHONY) & HRONIS
(JEFFERY LEE)**

Extension of time granted

On application of appellant Jeffery Lee Hronis and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 19, 2010.

S095868**PEOPLE v. DANIELS (DAVID
SCOTT)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Gail R. Weinheimer's representation that she anticipates filing the appellant's opening brief by September 15, 2010, counsel's request for an extension of time in which to file that brief is granted to May 3, 2010. After that date, only three further extensions totaling about 135 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S097414**PEOPLE v. KOPATZ (KIM
RAYMOND)**

Extension of time granted

Good cause appearing, and based upon counsel David P. Lampkin's representation that he anticipates filing the appellant's opening brief by October 2010, counsel's request for an extension of time in which to file that brief is granted to April 19, 2010. After that date, only three further extensions totaling about 180 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the

anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S097558

**PEOPLE v. GARTON (TODD
JESSE)**

Extension of time granted

Good cause appearing, and based upon counsel Jeffrey S. Gale's representation that he anticipates filing the appellant's opening brief by October 2010, counsel's request for an extension of time in which to file that brief is granted to April 23, 2010. After that date, only three further extensions totaling about 180 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S099274

**PEOPLE v. BROOKS
(DONALD LEWIS)**

Extension of time granted

Good cause appearing, and based upon counsel John L. Staley's representation that he anticipates filing the appellant's opening brief by March 24, 2010, counsel's request for an extension of time in which to file that brief is granted to March 24, 2010. After that date, no further extension is contemplated.

S103087

PEOPLE v. POST (JOHN)

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Tita Nguyen's representation that she anticipates filing the respondent's brief by June 16, 2010, counsel's request for an extension of time in which to file that brief is granted to April 19, 2010. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S104144

**PEOPLE v. PEREZ, JR.,
(JOSEPH ANDREW)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to May 10, 2010.

S114671**PEOPLE v. SCHULTZ
(MICHAEL JOSEPH)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 16, 2010.

S116307**PEOPLE v. FLORES III
(ALFRED)**

Extension of time granted

Good cause appearing, and based upon counsel Robert Derham's representation that he anticipates filing the appellant's opening brief by March 2011, counsel's request for an extension of time in which to file that brief is granted to April 27, 2010. After that date, only six further extensions totaling about 330 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S118384**PEOPLE v. MELENDEZ
(ANGELO MICHAEL)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 23, 2010.

S120750**PEOPLE v. PEARSON
(KEVIN DARNELL)**

Extension of time granted

Good cause appearing, and based upon counsel Conrad Petermann's representation that he anticipates filing the appellant's reply brief by April 14, 2010, counsel's request for an extension of time in which to file that brief is granted to April 14, 2010. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S126214**PEOPLE v. CRUMMEL
(JAMES LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 23, 2010.

S129501**PEOPLE v. MENDEZ
(JULIAN ALEJANDRO)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 19, 2010.

S132256**PEOPLE v. HELZER (GLEN
TAYLOR)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 27, 2010.

S139789**HARRIS (MAURICE
LYDELL) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Rama R. Maline's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by April 28, 2010, counsel's request for an extension of time in which to file that document is granted to April 28, 2010. After that date, no further extension is contemplated.

S151222**LETNER (RICHARD LACY)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Jean R. Sternberg's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by August 27, 2010, counsel's request for an extension of time in which to file that document is granted to April 19, 2010. After that date, only two further extensions totaling about 130 additional days are contemplated.

S151243**TOBIN (CHRISTOPHER
ALLAN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Margot Garey's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by September 2010, counsel's request for an extension of time in which to file that document is granted to April 29, 2010. After that date, only two further extensions totaling about 120 additional days are contemplated.

S160915**COOK (JOSEPH LLOYD) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Arlene A. Sevidal's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by May 26, 2010, counsel's request for an extension of time in which to file that document is granted to April 26, 2010. After that date, only one further extension totaling about 30 additional days is contemplated.

S172438**WATKINS (PAUL SODOA)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Gary B. Wells's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by October 29, 2010, counsel's request for an extension of time in which to file that document is granted to May 3, 2010. After that date, only three further extensions totaling about 179 additional days are contemplated.

S173972

B199287 Second Appellate District, Div. 3

**LOEFFLER (KIMBERLY) v.
TARGET CORPORATION**

Extension of time granted

On application of Amicus Curiae DIRECTV, Inc., and good cause appearing, it is ordered that the time to serve and file the Amicus Curiae Brief is extended to April 1, 2010.

S174016**MINKLER (SCOTT) v.
SAFECO INSURANCE
COMPANY OF AMERICA**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file a response to the amicus curiae brief of Steven W. Murray is extended to March 29, 2010. No further extension of time will be granted.

S178102**MARLOW (JAMES G.) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Pamela Ratner Sobeck's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by July 1, 2010, counsel's request for an extension of time in which to file that document is granted to April 23, 2010. After that date, only one further extension totaling about

70 additional days is contemplated.

S178166

**MARLOW (JAMES G.) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Pamela A. Ratner's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by August 31, 2010, counsel's request for an extension of time in which to file that document is granted to May 6, 2010. After that date, only two further extensions totaling about 115 additional days are contemplated.

S179122

**NELSON (D. J.) v. EXXON
MOBIL CORPORATION**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to May 11, 2010.

S179645

**BROWN (JOHN GEORGE)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Rhonda Cartwright-Ladendorf's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by April 26, 2010, counsel's request for an extension of time in which to file that document is granted to April 26, 2010. After that date, no further extension is contemplated.

S179962

A124023 First Appellate District, Div. 5

**JACKSON (EMITT B.),
ESTATE OF**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the Answer to the Petition for Review is extended to March 15, 2010.

S178786

GILL ON DISCIPLINE

Order filed

The order of this court filed February 24, 2010, imposing discipline, is hereby amended to read in its entirety:

"The court orders that MANVINDER GILL, State Bar Number 194519, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, subject to the following conditions:

1. MANVINDER GILL is suspended from the practice of law for a minimum of 90 days, and he will remain suspended until the following requirements are satisfied:
 - i. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar; and
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. MANVINDER GILL must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

MANVINDER GILL must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

MANVINDER GILL must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment."

S179964

**GADLIN (GREGORY) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S180120

**PEOPLE v. ABBATE III
(GASPER)**

Transferred to Court of Appeal, First Appellate District

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S180284**JONES (AHMAD) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S180495**BUSTAMANTE (MARK
ANTHONY) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S180634**BLIGHT (HARVEY) v. S.C.
(HILLEGASS)**

Transferred to Court of Appeal, First Appellate District

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

A127675

First Appellate District, Div. 5

**YAMAMOTO (KUNIKO) v.
WELLS FARGO BANK**

The above-entitled matter, now pending in the Court of Appeal, First Appellate District, is transferred from Division Five to Division Three.

**SUPREME COURT MINUTES
TUESDAY, MARCH 2, 2010
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Tuesday, March 2, 2010, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan.

Officers present: Frederick K. Ohlrich, Clerk, and Gail Gray, Calendar Coordinator.

S162029 Judy Boeken, Plaintiff and Appellant,
 v.
 Phillip Morris USA, Inc., Defendant and Respondent.

Cause called. Michael Piuze argued for Appellant.
Lisa Perrochet argued for Respondent.

Mr. Piuze replied.
Cause submitted.

S121552 Miguel Martinez et al., Plaintiffs and Appellants,
 v.
 Corky N. Combs et al., Defendants and Respondents.

Cause called. William G. Hoerger, California Rural Legal Assistance,
argued for Appellants.
Terrence R. O'Connor argued for Respondents Combs et al.
Effie F. Anastassiou argued for Respondents Apio, Inc.

Mr. Hoerger replied.
Cause submitted.

S161545 The People, Plaintiff and Respondent,
 v.
 Reginald Wyatt, Defendant and Appellant.

Cause called. Brent Wilner, Office of the Attorney General, argued for Respondent.
Waldemar D. Halka, Court-appointed Counsel, argued for Appellant.

Mr. Wilner replied.
Cause submitted.

Court recessed until 1:30 p.m. on this date.

Court reconvened pursuant to recess.
Members of the court and officers present as first shown.

S164011 The People, Plaintiff and Appellant,
 v.
 Armando Monter Jacinto, Defendant and Respondent.

Cause called. Stephanie Clarke, First District Appellate Project, Appointed Counsel, argued for Respondent.
Amy Haddix, Office of the Attorney General, argued for Appellant.

Ms. Clarke replied.
Cause submitted.

S059531 The People, Respondent,
 v.
 Stephen Moreland Redd, Appellant.

Cause called. Grace L. Suarez, Court-appointed Counsel, argued for Appellant.
Jennifer Jadovitz, Office of the Attorney General, argued for Respondent.

Ms. Suarez replied.
Cause submitted.

S053228 The People, Respondent.
 v.
 Andre Stephen Alexander, Appellant.

[TO BE CALLED AND CONTINUED TO THE MAY 2010 CALENDAR.]

Court recessed until Wednesday, March 3, 2010, at 9:00 a.m.

